

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 9, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative C. Smith. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane, Halvorson, Howard, Kerns, Knudsen, and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair): 3/9/2013

Correctly printed: **HB 403, HB 440, HB 566, HB 584, HB 585, SB 44, SB 61, SB 62, SB 92, SB 235, SJR 3, SJR 4, SJR 6.**

Correctly engrossed: **HB 559, HB 573, SB 104.**

Correctly enrolled: **HB 199, HB 243.**

Transmitted to the Senate: **HB 373, HB 415, HB 488, HB 524.**

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 3/8/2013
SB 92, be concurred in. Report adopted.
SJR 6, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair): 3/8/2013
SB 44, be concurred in. Report adopted.
SJR 4, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair): 3/8/2013
HB 559, introduced bill, be amended as follows:

1. Title, line 9.

Following: "PLATES"

Insert: "AND GENERIC SPECIALTY LICENSE PLATES"

Strike: "THE"

Strike: "RESTRICTION"

Insert: "RESTRICTIONS ON CERTAIN VEHICLES"

2. Page 2, line 17.

Strike: "and"

3. Page 2, line 18.

Following: "61-3-406"

HOUSE JOURNAL
FIFTY-FIRST LEGISLATIVE DAY - MARCH 9, 2013

Insert: "; and

(iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate license plate under 61-3-465"

4. Page 9, line 6.

Following: "61-3-458(2)(c);"

Insert: "and"

5. Page 9, line 7 through line 9.

Strike: "; and" on line 7 through "61-3-479" on line 9

6. Page 9, line 16.

Following: "61-3-480"

Insert: "or collegiate license plates under 61-3-465"

And, as amended, do pass. Report adopted.

HB 566, do pass. Report adopted.

HB 573, introduced bill, be amended as follows:

1. Page 35, line 1.

Following: "quadricycle"

Strike: "or"

Insert: ", "

Following: "utility vehicle"

Insert: ", or motorcycle designed for off-road recreational use"

2. Page 35, line 2.

Following: "quadricycle"

Strike: "or"

Insert: ", "

Following: "utility vehicle"

Insert: ", or motorcycle designed for off-road recreational use"

3. Page 35, line 3.

Following: "quadricycle"

Strike: "or"

Insert: ", "

Following: "utility vehicle"

Insert: ", or motorcycle designed for off-road recreational use"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
FIFTY-FIRST LEGISLATIVE DAY - MARCH 9, 2013

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 3/8/2013

HB 261, introduced by Berry

Senate bills concurred in and returned to the House: 3/8/2013

SB 58, introduced by Kaufmann

SB 191, introduced by T. Brown

SB 231, introduced by Augare

SB 294, introduced by Arntzen

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 584, introduced by O'Neil, referred to Transportation.

HB 585, introduced by Hoven, referred to Transportation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 20, introduced by Jent (by request of the State Auditor), referred to Business and Labor.

SB 58, introduced by Kaufmann (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

SB 153, introduced by Thomas, Berry, Larsen, Olson, referred to Judiciary.

SB 158, introduced by Thomas, Berry, Van Dyk, referred to Business and Labor.

SB 160, introduced by Tropila, Arntzen, T. Brown, Hollenbaugh, MacDonald, Noonan, O'Hara, Thomas, Van Dyk, Wanzenried, referred to Judiciary.

SB 179, introduced by Kaufmann (by request of the Department of Revenue), referred to Taxation.

SB 191, introduced by T. Brown, Facey, L. Jones, Olson, Salomon, referred to Education.

SB 192, introduced by Wanzenried, referred to State Administration.

SB 196, introduced by Rosendale, Augare, Dick Barrett, Blewett, Boulanger, Brenden, D. Brown, Facey, L. Jones, F. Moore, Osmundson, Reichner, Sales, Taylor, Thomas, Van Dyk, Walker, Wanzenried, Warburton, Windy Boy, Wittich, referred to Judiciary.

SB 199, introduced by Thomas, Ballance, Facey, Peterson, referred to Education.

SB 200, introduced by Vincent, referred to Fish, Wildlife and Parks.

SB 231, introduced by Augare, Brockie, Calf Boss Ribs, Pease-Lopez, Peppers, B. Smith, Stewart-Peregoy, Whitford, Windy Boy, referred to Taxation.

SB 236, introduced by Olson, Ankney, referred to Appropriations.

SB 269, introduced by Walker, referred to Taxation.

SB 290, introduced by Arntzen, Hagstrom, referred to Local Government.

SB 294, introduced by Arntzen, Berry, Hunter, referred to Business and Labor.

SB 301, introduced by Murphy, T. Brown, Kary, Peterson, Shaw, Welborn, referred to Agriculture.

HOUSE JOURNAL
FIFTY-FIRST LEGISLATIVE DAY - MARCH 9, 2013

SB 335, introduced by Hamlett, Connell, McChesney, referred to Natural Resources.

SB 357, introduced by Facey, referred to Business and Labor.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 15, introduced by Fielder, Arntzen, Arthun, Augare, Ballance, Debby Barrett, Blyton, Boulanger, Brockie, Brodehl, D. Brown, Buttrey, Clark, Connell, Cuffe, Facey, Flynn, Glimm, Hamlett, Hertz, Hollandsworth, Howard, Ingraham, Jackson, D. Jones, L. Jones, Kary, Keane, Knudsen, McChesney, McClafferty, Mehlhoff, F. Moore, Murphy, Olson, Peppers, Peterson, Pierson, Price, Redfield, Ripley, Rosendale, Salomon, Schwaderer, Sesso, Shaw, B. Smith, C. Smith, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vincent, Washburn, Webb, White, Whitford, Windy Boy, Wittich, Zolnikov, Hollandsworth, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pomnichowski in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 3 - Representative Vance moved consideration of **SJR 3** be passed for the day. Motion Carried.

HB 403 - Representative Hill moved **HB 403** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Knudsen, Warburton, Aye.

HOUSE JOURNAL
FIFTY-FIRST LEGISLATIVE DAY - MARCH 9, 2013

Excused: Howard, Kerns.

Total 2

Absent or not voting: Cook, Lynch.

Total 2

HB 440 - Representative Kary moved **HB 440** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Doane, Halvorson, Howard, Kerns, Knudsen, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 61 - Representative Berry moved **SB 61** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

HOUSE JOURNAL
FIFTY-FIRST LEGISLATIVE DAY - MARCH 9, 2013

Nays: J. Bennett, Brodehl, Kerns, Lenz, Schwaderer, Zolnikov.

Total 6

Voted Absentee: Doane, Halvorson, Howard, Knudsen, Warburton, Aye; Kerns, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 62 - Representative Neill moved **SB 62** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Howard, Kerns, Knudsen, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 104 - Representative D. Moore moved **SB 104** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski,

HOUSE JOURNAL
FIFTY-FIRST LEGISLATIVE DAY - MARCH 9, 2013

Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: J. Bennett, Wagoner.

Total 2

Voted Absentee: Doane, Halvorson, Howard, Kerns, Knudsen, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 235 - Representative Welborn moved **SB 235** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Knudsen, Warburton, Aye.

Excused: Howard, Kerns.

Total 2

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Pomnichowski moved the Committee of the Whole report be adopted. Report adopted as follows:

HOUSE JOURNAL
FIFTY-FIRST LEGISLATIVE DAY - MARCH 9, 2013

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

Nays: McClafferty, Pierson, White.
Total 3

Voted Absentee: None.

Excused: Doane, Halvorson, Howard, Kerns, Knudsen, Warburton.
Total 6

Absent or not voting: Cook.
Total 1

MOTIONS

Majority Leader Vance moved **HB 440** be moved from the Committee of the Whole to the Appropriations committee.

SPECIAL ORDERS OF THE DAY

Representative Hagan thanked the Pages for their service.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, March 11, 2013.
Motion carried.

House adjourned at 8:45 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House